

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3008
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
SHELLEY K. NUSS,)	
)	
Defendant.)	

NOW ON THIS 17th day of November, 2005, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On August 9, 2005, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 846 and 853, based upon the Defendant's plea of guilty to Counts I and IV of the Superceding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in the following-described property: N $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32, T.8 N, R.4, West of the 6th P.M., Fillmore County, Nebraska, locally known as 1909 Road 2, Sutton, Nebraska 68979, was forfeited to the United States.

2. On August 31, September 7 and 14, 2005, the United States published in the Nebraska Signal, and on October 6, 13 and 20, 2005, in the Clay County News, notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a

hearing to adjudicate the validity of their alleged legal interest(s) in said property. An Affidavit of Publication for the Nebraska Signal was filed herein on October 11, 2005 (Filing No. 55). An Affidavit of Publication for the Clay County News was filed herein on November 4, 2005 (Filing No. 62).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the subject property, i.e., N $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32, T.8 N, R.4, West of the 6th P.M., Fillmore County, Nebraska, locally known as 1909 Road 2, Sutton, Nebraska 68979, held by any person or entity, is hereby forever barred and foreclosed.

C. The subject property, i.e., N $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32, T.8 N, R.4, West of the 6th P.M., Fillmore County, Nebraska, locally known as 1909 Road 2, Sutton, Nebraska 68979, be, and the same hereby is, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

November 17, 2005.

BY THE COURT:

s/ RICHARD G. KOPF
United States District Judge